

From: J. Hess
To: Microsoft ATR
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Subject: Microsoft Settlement

In my opinion the proposed settlement is a bad idea, because it fails to address the full scope Microsoft's anticompetitive practices, the remedy is so specific to Microsoft's current software product that it will soon be obsoleted in many respects,

Restrictions Microsoft is allowed to place on providing information required to use their software and operating system APIs and the generous allowances they are made such as using their own MSDN network (A Microsoft product) rather than an independent party to handle the distribution of information render the remedies useless for encouraging competition or discouraging their practices.

Moreover, the proposed settlement doesn't seem to have any significant enforcement device -- as they reached this point, clearly it's necessary.

The proposed settlement looks like a "Get out of jail free card" for Microsoft and the remedy appears to be mostly non-substantive.

--James Hess